

REMARKS

Claims 1-54 are pending in this application. Claims 43-54 have been added to assure Applicant a fuller measure of protection of the scope to which he deems himself entitled. Claims 1-4, 39-43, 47 and 51 are in independent form. Reconsideration is respectfully requested.

Initially, Applicant notes with appreciation the allowance of Claims 4-6, 9, 13, 17, 21, 24 and 42. Applicant respectfully submits that Claims 28, 30, 34 and 38 are also in condition for allowance, since each of these claims directly or indirectly depends from independent Claim 4, which has been allowed.

Claim 1-3, 7, 8, 10-12, 14-16 and 25-41 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,896,163 (*Tsuda et al.*), and Claims 18-20, 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Tsuda et al.* in view of U.S. Patent 4,351,600 (*Hasegawa et al.*).

An important feature of the present invention to which the independent claims relate is the controlling of light quantity irradiated onto a light modulating element according to a result of a calculation.

Applicant understands *Tsuda et al.* to disclose a laser liquid crystal marker wherein a laser is used as a light source to irradiate a liquid crystal with a laser light, so that the laser light passing through the liquid impinges upon a work surface to form thereon a liquid crystal pattern. A controller (7) calculates a light transmittance (Q_i) from the irradiation quantity of light (R_1) of the light emitting means (5) and the transmitted quantity of light (R_2) received by the light receiving means (6).

The Examiner points to *Tsuda et al.*, col. 7, lines 31-37 and Figs. 1, 2A, 2B and 2C for disclosing a light quantity controlling means (R1) for controlling light quantity irradiated onto said light modulating element according to a result of said calculation. Applicant, however, finds no means for directly detecting the irradiation light quantity (R1) found in Fig. 1 of the drawings. The value of the irradiation quantity (R1) is thus believed by Applicant to be determined from the electric quantity which the controller (7) supplies to the light emitting means for light emission. Therefore, Applicant submits that nothing in *Tsuda et al.* would teach or suggest a constructional feature corresponding to a light quantity controlling means for controlling light quantity irradiated onto a light modulating element according to a result of a calculation, along the lines of that set forth in Claims 1-4 and 39-42 of the present invention.

The Office Action cites *Hasegawa et al.* for merely disclosing a detecting result from a sensor. However, *Hasegawa et al.* fails to reveal anything that would remedy the deficiencies of *Tsuda et al.* Accordingly, Applicant submits that *Tsuda et al.* and *Hasegawa et al.*, either taken alone or in combination, do not teach or suggest a light quantity controlling means for controlling light quantity irradiated onto a light modulating element according to a result of a calculation, along the lines of that set forth in Claims 1-4 and 39-42. As such, Claims 1-4 and 39-42 are believed to be patentable over the references cited.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional

aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

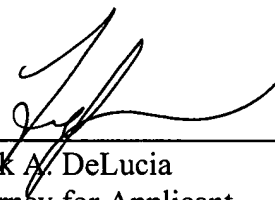
Newly added Claims 43-54 include a feature similar in at least some aspects to the light quantity controlling means emphasized above. For the reasons discussed above for Claims 1-4 and 39-42, Claims 43-54 are also believed to be patentable over the prior art references cited above.

Accordingly, the present invention has been distinguished over the cited references and cannot be readily deduced therefrom.

In view of the foregoing, Applicant respectfully requests favorable reconsideration and passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank A. DeLucia', is written over a horizontal line.

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